

National Forest Advisory Board Meeting

March 18, 2015

Mystic Ranger District

Members Present:

Chairman Dick Brown, David Hague, Jessica Crowder, Linda Tokarczyk, Lon Carrier, David Brenneisen, Alice Allen, Bob Burns, Jeanne Whalen, Mary Zimmerman, Jennifer Hinkhouse, John Gomez

Members Absent:

Susan Johnson, Mike Verchio, Craig Tieszen, Wayne Bunge, Lauris Tysdal, Tony Leif, Danielle Wiebers, Keith Haiar, Nancy Trautman

Forest Service Representatives:

Craig Bobzien, Jerry Krueger, Scott Jacobson, Beth Doten, Scott Haas, Ralph Adam, Blaine Cook, Dave Mertz, Ed Fischer, Mena Showman, Shirlene Haas, Ben Schumacher, Twila Morris

Others:

Approximately 15 members of the public were in attendance. Four Congressional Representatives were also in attendance; Kyle Holt (Noem – R, South Dakota), Mark Haugen (Thune – R, South Dakota), Jeff Marlette (Rounds – R, South Dakota); Deanna Kay (Enzi – R, Wyoming)

Introduction & Welcome:

Brown: Call the meeting to order, 1:00 p.m. Welcome to our March 18th meeting. We start today with a heavy heart and sadness about the tragic event of the loss of our good friend and colleague, Bill Kohlbrand. Bill served his State of Wyoming, the state of South Dakota, and the Black Hills National Forest. He was a good friend.

A resolution, honoring Bill's service and dedication to the Black Hills National Forest has been distributed to the membership. I'll read the resolution, and if you have any suggested changes or corrections, we'll have those made and then we'll move forward with signing the resolution. Supervisor Bobzien will transmit the resolution to Bill's family and friends and the United States Secretary of Agriculture.

Before I read the resolution, please join me in a moment of silence for Bill.

Chairman Brown reads the resolution.

Brown: Can I have a motion to move forward with the resolution? Motion made by Jeanne Whalen, second by David Hague. Are there any comments or observations?

Brenneisen: Bill came to the area in 1981 for a summer job and never left, so it may be longer than 26 years.

Brown: Any other observations?

Whalen: I would like to see his title listed behind his name.

Brown: All in favor of the resolution with the two mentioned changes, say aye, opposed say no, the resolution is approved. Thank you so much for your work on the resolution Scott. We'll move forward with our agenda, and during the course of the meeting we'll have the changes made, and the resolution will be ready for signature today; thank you Scott.

I also want to thank Deputy Forest Supervisor Jerry Krueger for his timely notification to the Board of this tragic event. We appreciate hearing the news quickly, and appreciate your thoughtfulness in the matter; thank you for your help Jerry.

With that we can begin today's agenda. I would like to start by saying that only primary members and their alternates should be sitting at the table. If there are any alternates in the audience, please come up to the table. We'll turn it over to Supervisor Bobzien for additional comments.

Bobzien: Thank you Chairman Brown, and thank you for recognizing Bill Kohlbrand today. I feel honored and privileged to have worked with Bill; the passion that Bill had always stood out. He was an asset to the Black Hills, a good friend, and we will miss him. For those of us that will be attending the funeral on Saturday, we'll take the resolution and present it on behalf of the Board.

I recognize many faces here today, but there are members of the public that haven't been here before. Thank you all for coming and for checking in at the front desk. In case of an emergency, exits are in both the front and back of the building.

Approve the Agenda:

Brown: For today's agenda, I would entertain a motion to accept the agenda as written? Motion made by Linda Tokarczyk, second by Mary Zimmerman. All in favor say aye, opposed say no; the agenda is approved.

Approve the January Meeting Notes:

Brown: Approval the minutes of February 18th. Is there a motion to approve the minutes as edited and distributed? Motion made by Lon Carrier, second by John Gomez.

Brenneisen: I would like to add one change, on page 14 of the notes; the word is conservation not concentration.

Zimmerman: I would like to have it noted that I was at the meeting, the notes do not reflect that.

Brown: Twila will get those changes made to the notes, and will resend them to the group. All in favor of approving the notes with the two noted changes say aye, opposed say no. The notes have been approved with amendments.

Housekeeping:

Bobzien: Nothing more to add.

Meeting Protocols:

Brown: As I mentioned before Board members, primary and alternates should be at the table. Turn off cell phones or put them on buzz. If we have an opportunity for public comment, we'll solicit that at the end of the agenda. Comments at the end of the meeting should be relative to the work of the Advisory Board. This committee is appointed by the Secretary of Agriculture and has representation from 16 interest areas. Our role is to provide advice, and come together once a month and provide that advice to the Forest Supervisor. If you have something in addition to what you've been able to share, please contact one of the Board members, and the Board member will help you get your concerns heard. The primary purpose is to get together once a month and share what is going on with the National Forest (NF).

Keep in mind, that with the tragic loss of Bill, next month it would be a good protocol to establish another Vice Chairman, so that we'll have a substitute. At our next meeting we'll ask for your suggestions and a vote to fill the vacancy left by Bill.

Hot Topics

Legislative Updates - Federal

Brown: Moving along to our Legislative updates, let's start with Mark Haugen.

Haugen: Thank you, I'm Mark Haugen, I represent Senator Thune. The Senate is in session; week four of five. The Human Trafficking Bill has ground to a halt, once they get thru that, they'll have the Attorney General nomination to deal with, and then the budget resolution. The proposed Budget Resolution would balance the budget in 10 to 12 years. The big thing has been the HB2visa issue; this will really affect the tourist industry in South Dakota. What the HB2visa is - is a program used to hire seasonal labor. A judge shut down the program 10 days ago. The Senator got in touch with the Secretary of Labor and Homeland Security, and they agreed to restart the program in a limited fashion. They'll begin processing applications and we'll see how it goes from there.

The Senator introduced legislation to withhold funding to the Fish and Wildlife, because of the way they are going about listing the Northern Long Eared Bat (NLEB). Their plan does not address the problem. The listing would go after the environment rather than addressing the disease. It has been 35 years or better that they have listed something because of disease. The Senator is pretty optimistic that we'll get others to sign on because this affects a large part of the United States.

The Senator introduced a bill yesterday to block EPA from implementing the regulation

regarding water ways. The Senator asks that they address at least 80% of the Counties that are out of compliance right now before adding more Counties to the list. It is an expensive regulation, the regulation asks the EPA to look at the costs as well; also change the modeling that is used in the regulation.

The Health Department came out with 500 pages of dietary guidelines; listing what is good for you. The one thing not listed was lean beef, and with these guidelines being used in the schools, we know where this is going for South Dakota. The Senator is asking the USDA Secretary to step in and help on this.

Brown: Thank you Mark. Are there any questions for Mark? If there are no questions, we'll move to Senator Rounds' office and Jeff Marlette.

Marlette: I'm Jeff Marlette; I'm the West River Director for Senator Rounds. Katie is in DC this week keeping them straight. Following up on the HB2visa issue that Mark mentioned, it does impact numerous companies in the Black Hills. The economic impact will be in the millions of dollars. These are legal workers coming in to do a job and do it right, seasonal workers.

The Senator was one of the 47 that signed on to the open letter to Iran, he'll defend that decision. The hope is to keep Iran from ever having a nuclear weapon. I'm sure you've heard about the recent concerns over ATF; through an outcry of the public and work by Congress, ATF withdrew. The Senator went to Guantanamo to see first-hand what was happening and what it looked like. The Senator is convinced that Guantanamo plays an important role, and considers it a valuable resource to keep.

We've had numerous visitors to the DC area; every Wednesday Senator's Thune and Rounds, and Representative Noem host a joint meeting and have visitors come in for coffee and a chance to visit with them about the issues.

The Senator is working with the Department of Ag to help clear up the dietary guideline issue to make sure there is no question of the value of red meat and the importance of that to farmers and ranchers in South Dakota. The Waters of the US regulation is clearly an over reach of big government; the Senator is trying to curtail that so that all of our pot holes and ditches don't come under regulation. Look for the Senate budget resolution; it highlights the desire to balance the budget over 10 years, which is a huge undertaking. The Senate will be looking at ways to maintain a robust military, and taking a hard look at Medicare.

Allen: Can you comment on the House 2016 Budget proposal to dispose of large chunks of public lands. Is that included in the Senate proposals?

Marlette: Senator Rounds has not weighed in on that yet. Rounds' position is that the Forest and all public lands are important to what we do. We've been spending time visiting with all the public land managers and getting to know all of the issues. We haven't seen the bill yet, but by the next NFAB meeting we should be able to comment on it.

Brown: Thank you Jeff and welcome. Next up is Kyle Holt from Representative Noem's office.

Holt: Thank you Chairman Brown, my name is Kyle Holt; I'm with Representative Noem's

office. I don't have much to add to what has already been mentioned. In response to Alice's question, as far as the House side of the budget proposal, Kristi hasn't had time to dig through the budget yet either, but they should vote on it next week.

The H2Bvisa program is a big issue for SD and the need and availability of seasonal workers. These workers are needed for tourism and construction; they estimate 750 people coming in for the summer season under this program. Kristi had a town hall meeting a week ago here in Rapid City. She discussed immigration, EPA, endangered species, and some local issues before visiting with the Mayor on some local issues, and making a visit to Rapid City Regional Hospital.

Brown: Thank you Kyle, are there any questions for Kyle? If not we'll move on to Deanna Kay who is here for Senator Enzi from Wyoming; Deanna come on up.

Kay: Hello my name is Deanna Kay; I'm from the Gillette office of Senator Enzi; we cover Northeast Wyoming. I have nothing to add, but I am happy to be here today, thank you for inviting me.

Brown: Thank you Deanna, next we'll go to Jeanne Whalen for the Wyoming perspective. We also have Governor Meade's Policy Advisor with us today. Jeanne, we'll take you first.

Whalen: I reached out to the three Congressional staffs. I mentioned last month that Representative Lummis would be the Western Caucus Chairman. The Representative joined Representative Rob Bishop from Utah to write a letter to Dan Ash, to ask for a delay in the listing of the NLEB under the 4d rule, by at least 60 days. Senators from all over the US signed the letter in support of postponing.

Brown: Thank you for your comments Commissioner Whalen. We'll ask Jessica Crowder to give us an update next.

Crowder: The State Legislature wrapped up two weeks ago. They are keeping us very busy, but one good thing they did was appropriate \$705,000 for implementing the Governor's Task Force work. This is something the Black Hills can be proud of because it was based on what is going on here in the Black Hills. They will be hiring someone to help with outreach and partnerships; also some money to look at municipal watersheds and what fire might do to them, as well as invasive species.

Brown: This report is for the whole State of Wyoming correct?

Crowder: Yes it is for the State of Wyoming. The Forest Service had two representatives on the Task Force and there were several recommendations made to the Governor so we are sorting those out and determining where to start. One area will be invasive species; we pushed that through for this year's budget. (Jessica held up the Governor's Task Force Report on Forestry).

Brown: I don't believe we have either of our representatives from the South Dakota State Legislature; I think they are done in Pierre. With that, we will move on to our Forest Service hot topics with Supervisor Bobzien.

Forest Service Hot Topics ~ Craig Bobzien

Bobzien: I want to thank the Board for the follow-up action on the NLEB. At the last meeting you made a motion to provide a recommendation to me, with the understanding that it would be shared with the Fish and Wildlife Service. We provided information to the members and some clarification, and the appointed group moved it forward. It enabled us to forward a good letter to the Fish and Wildlife on your behalf. Mr. Chairman, thank you for your hard work on that.

Brown: Craig, I want to specifically thank the Working Group; Tony Lief, Danielle Wiebers, Alice Allen who put in the work to draft the original, and subsequent to that, thank you Linda Tokarczyk and Jessica Crowder for providing more comments. Thanks also to Lon Carrier for your work two or three years ago on the Bat issue that has paved the way for us. We had a good letter and a good consensus. Thank you Supervisor Bobzien for forwarding that to the U.S. Fish and Wildlife Service. Members of the Legislature in our audience today – you know how important this is to all of us. Thank you members of the committee for the contributions you made that were necessary to make this happen.

Bobzien: Last summer for our field trip, we went to the Cook Lake Recreation area on the Bearlodge District. We opened the area back up to the public for recreation. Ranger Steve Kozel is here today; I commend Steve for the way he has engaged the community, kept folks involved, and kept the public safe. I'll turn it over to Steve for comments.

Kozel: Thanks Craig. As Craig mentioned, we did open Cook Lake in mid-February till April 1, for day use recreation. We had received a request through the County Commissioners on January 1st to go in and take a look at the conditions now, and determine if the risk is lower now, or is it safer? We tasked our staff with that; to look at it from a scientific perspective, especially for the risk of mass movement of soil. We are in a dry period, so the risk now is much lower than in previous months. To offset the potential for other risks, we decided to not allow overnight camping, so for now it's open for general day use. We plan to close again on April 1. We are currently in discussions with Colorado School of Mines to do an in-depth study – the study will be done the end of this summer, which will provide us foundation of how to move forward.

Whalen: I appreciate that the Bearlodge District Ranger did this. Last evening while driving near the turn off for Cook Lake, I noticed that all there is a paper sign saying "Cook Lake Closed". If it's going to be closed all summer there should be a better sign, otherwise people will end up driving all the way back in there only to find it is closed.

Kozel: We had a public meeting in November to explain what is going on at Cook Lake, and we plan to do another public meeting. We'll improve signage for the summer. Jeanne, thank you for bringing that up.

Brown: Are there any other questions for Steve on this issue; thank you Steve and Craig for that report.

Bobzien: Thank you Steve, and back to the Board, I'm glad we visited the Cook Lake area last summer to look at that complex. In this case we have a very attractive feature, a dam that was changed by mass movement of land. It's a difficult role to be on policy with these types of things. But our decisions always start with public safety. For Steve, Ralph, and others to take this on and get the expert input that was needed to make the necessary decisions was the right

thing to do. Jeanne for you as a commissioner, thank you for being patient, we do want to do this well and safely. Thank you for the Boards interest and participation in this as well.

Next I would like to introduce to you Blaine Cook. Blaine is our Forest Silviculturist and doubles as a Forest Historian as well. Blaine has kept a great amount of records for the Black Hills and maintains professional associations with historians of the Black Hills.

Cook: It's with great pleasure that I introduce to you a history book about the Black Hills. John Freeman is the author of the book, some of you might now know John, he was with Governor Freudenthal, and he was also with the Wyoming Community Foundation. He had a visit one day with Jim Neiman and also visited Frank Carroll, who is a retired Black Hills employee, and I. As evidence of you all sitting here, you care about the Black Hills. Forest Supervisors of the Black Hills through history are recorded in this book. From Seth Bullock, Duffy and Conner to Ken Sholes who was around the years of the Endangered Species Act, NEPA and the Multiple Use Act. Forest Supervisor Jim Mathers, Camp Yellow Thunder, and the beginnings of travel management; Roberta Moltzen, Norbeck; John Twiss, interim lawsuit; and all the way up to Craig Bobzien are Forest Supervisor's featured in this book. I hope I am wetting your appetite for the book; John Freeman brings it all to light. The Timber industry was alive and well back then as it is now; The Warren Lamb Lumber Company was a big sawmill then. I think it's important to read this book, John Freeman did an excellent job, and he'll be here next month to talk with all employees of the Black Hills and then he'll join the SAF conference in Deadwood in May. I highly recommend that you pick up a copy of this book when it becomes available. The book will be available in the Mystic District office and the Supervisor's office in Custer starting April 1st. The name of the book is: "*Black Hills Forestry – A History*". You can also purchase the book on line at www.blackhillsparks.org look under new products. It sells for \$34.99.

Krueger: I would like to say that I read the book, it is an outstanding book, and it provides a broad range of looks at the BH NF; as Blaine has indicated. It's a history book, but it's not; it explains how we got to where we are at. I can't stress enough valuable I think this book is.

Cook: Conservation 100 years ago is different than it is today; Craig is dealing with resiliency now, back then it was timber production and timber production is still important today. The look at the Forest Supervisors thru time is interesting; they had a lot of fun on this Forest.

Brown: Is it possible to order on line? Or do we need to come in to this office to get the book?

Cook: You'll be able to get the book at all of the Forest Services offices and on line. John Freeman did not write this book to turn a buck, it sells for \$35.00.

Brown: Are there any other questions for Blaine? Thank you Blaine for that, we look forward to picking up the book. It's now 1:50, let's take a 10 minute break, and re-group at 2:00.

Regular Agenda

Climate Change and Forest Management ~ Trey Schillie

Brown: Could we all come back to the table please. Earlier we passed out copies of the Boards letter and the Supervisor's cover letter to the U.S. Fish and Wildlife Service, we have additional copies available now if you need one.

Bobzien: Thank you Chairman Brown. To kick off our regular agenda today, I would like to introduce Trey Schillie. Trey is our Regional expert on the topic of climate change and how it affects Forest management; the Forest as a whole system, not just the trees. How many of you remember discussing climate change over a decade ago? You've seen how it has evolved, from a global context, we'll find out what it means to us, and our Forest systems. Jessica and I were talking about our Forests and our cold water fisheries and what climate changes means there. We talk more about resiliency, and adaptation, and other terms, we are mindful of the aspects of what is going on for whatever the causes are. How do we adapt and think about our forests today with our future in mind. Trey, it is great to have you back to the Black Hills. Trey has networked with people from across the country, we are fortunate to have Trey here today. This subject is presented today to deepen our understanding of climate change; we are glad to have Trey here.

Schillie: Thank you for having me; it is a real pleasure. Chairman Brown, thank you for the invitation. It's good to get to the field, for me this is the field. You guys live in a fantastic place, and the Board is special thing, so this is just a great pleasure for me to be here today. My name is Trey Schillie; I'm the Inventory, Monitoring, and Climate Change Coordinator for Region 2.

[Slides from the Presentation by Trey Schillie]

President Obama State of the Union Address (1/20/2015)

- 14 or 15 warmest years – all in first 15 years of this century.
- Scientists continue to warn of activities that are changing the climate and impacts of climate change.
- Set aside more public lands and waters than any administration in history.

Is there Common Ground? Focus on impacts of stressors and desired outcomes

- Healthy forests and ecosystems, resilient to drought, fire, and pests
- Mitigate flooding
- Sustainable communities
- Energy independence

Terminology Overview:

- Climate Change Mitigation: *reduce sources of greenhouse gases, enhance carbon sinks*
- Climate Change Adaptation: *ability to adjust to climate change impacts*

Climate Change Mitigation: *reduce sources of greenhouse gases, enhance carbon sinks*

- Avoid deforestation and land-use conversion
- Reforestation and afforestation
- Wood productions and wood biomass
- Management practices and old-growth conservation

Climate Change Adaptation: *ability to adjust to climate change impacts*

Forest and ecosystem resiliency

- Increase stand vigor – thinning dense stands
- Genetic diversity
- Invasive species

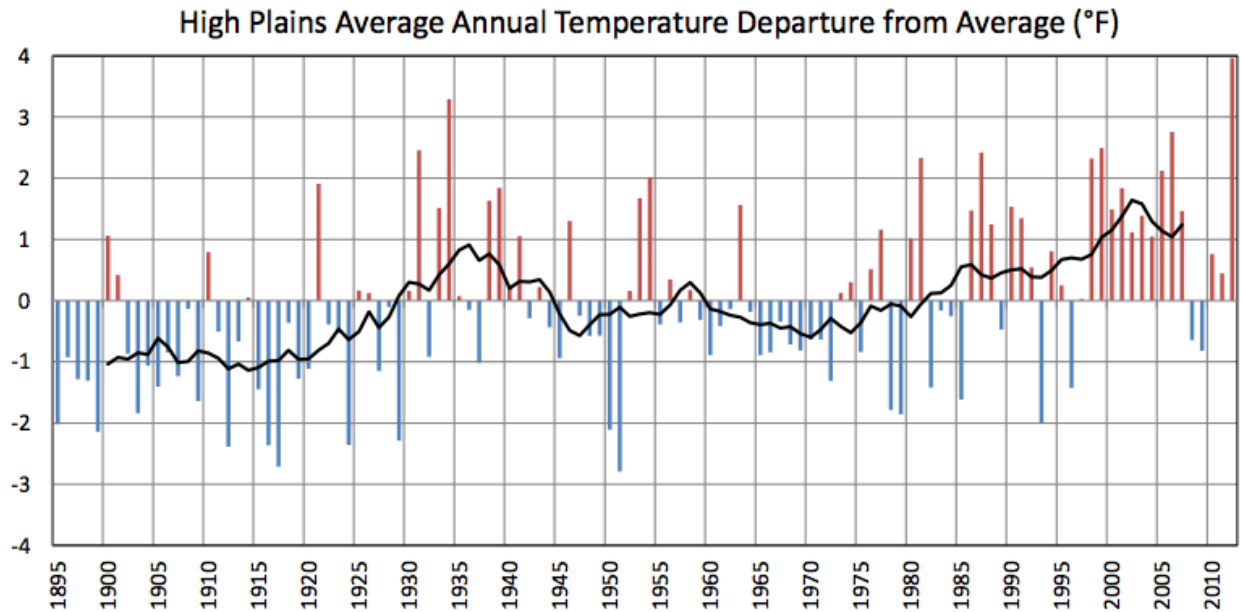
Wildlife

- Habitat conservation and migration corridors
- Assisted migration

Infrastructure

- Wildfire
- Floods

Impacts of Climate Change in Northern Plains and South Dakota:



Bobzien: At our next meeting we'll be hearing about the fire season outlook. I want you to look at this chart; the mid to late 90's and beyond, we'll look at the spread of large fires on the Black Hills in that time frame. It's no surprise that there's quite a correlation between the higher temps on the graph, and our large fire years.

Climate Change Impacts to Great Plains

- Rising temperatures lead to increased demand for water and energy
- Changes to crop growth cycles due to warming winters and alterations in rainfall events
- Landscape fragmentation will hinder migration and adaptation of species

Climate Change Impacts to South Dakota:

Water

- Winter precipitation and very heavy precipitation events are both project to increase
- Increase runoff and flooding that will reduce water quality and erode soils
- Periodic drought; increasing temperatures additional evapotranspiration

Forests and Ecosystems

- Increases in wildfire activity and pest outbreaks
- Shifts in species distributions
- Spread of invasive species
- Changing in timing of flowering and leaf-out

Agriculture

- Increases in winter precipitation may benefit productivity by increasing soil moisture during early growing season
- Rising temperatures may lengthen growing season
- Pests and invasive species might survive warmer winters
- Temperature extremes and heat waves impact livestock

US Forest Service and Climate Change

- Climate Change Performance Scorecard
- NEPA and Climate Change
- 2012 Planning Rule

Climate Change Performance Scorecard

- 2010 – 2015 for each National Forest
- Measures progress in four dimensions

Draft NEPA and Climate Change Guidance

- Fundamental environmental issue
- Federal agencies should not rely on boilerplate text to avoid meaningful analysis
- Quantitative analysis vs. qualitative discussion for greenhouse gases
- Is not overly prescriptive

Climate Change in the 2012 Planning Rule

- Assess carbon stocks prior to revision; considering impacts of disturbance and carbon sink or carbon source
- Assess climatic regimes by reviewing vulnerability assessments or scenario planning
- Climate change monitoring item for all forest plans, May 2016
- Collaboration and stakeholders – key point of 2012 rule

Is there Common Ground? Focus on impacts of stressors and desired outcomes

- Healthy forests and ecosystems, resilient to drought, fire, and pests
- Mitigate flooding
- Sustainable communities
- Energy independent

Brenneisen: Aside from the requirement that the Forest Service has for its monitoring, and

given we are not schedule for a plan revision till 2022, what management changes should we expect to see over the next seven years?

Schillie: Draft NEPA guidance, we see this in appeals and litigation. There is an increased expectation that the Forest Service will consider climate change in a more detailed way. We have pieces through the executive authority, to look at Forest planning. The Forest Service has a couple of really small scale demonstration projects for planting trees. Sometimes we engage partners to give us money to talk about the benefit of carbon sequestration.

Brenneisen: We are at a point in time where we are coming off of historically high standing inventories that precipitate the mountain pine beetle problems, so we are talking more about reducing standing inventory. This will then pull us in another direction rather than storing up.

Schillie: In the interior west, we do have too much carbon on site, so it's not about packing on site; we have to consider all the things – resiliency and forest health issues. We may lose carbon initially, but it becomes more stable. It might be worth considering taking the carbon stocks down and making it more manageable. We have no mandate to pack on carbon on National Forest system lands.

Brown: Are there any other questions for Trey?

Brenneisen: You mentioned that this administration had set aside more public lands than any other administration; how does that tie into climate change?

Schillie: Those were the President's exact words in his State of the Union Address. He's looking at it from the viewpoint that if you protect lands, and conserve lands, you're conserving the underlying carbon stocks. It wasn't just lands it was also water. In the south pacific there are huge swaths of water.

Brown: In your presentation you mentioned the 2012 Planning Rule; for Supervisor Bobzien, how do you see that rule changing, the time table, how it affects the BHNF, and what role does this Board have n that?

Bobzien: That is our current rule, 2012; by that there is in queue all the Forests in the R2 Region, for a revision; it's really based on funding, we are sitting at 2022 or 23. Trey brought up the point about the change in our monitoring, we'll start in 2015. We would be looking at the major revision in 22 or 23; the Board would be very involved in that. I'm looking here at Ed Fischer – and welcome Chris Worley; with that I'll open it up to Ed.

Fischer: People may know that the National Forest Management Act stipulated that Forest Plans would be revised every 15 years. That's not possible for a variety of reason, many Forests go past that and the Black Hills will too. The conditions we try to address in management keep changing, so in time we may see a need to amend part of our Forest Plan, so that's another area of value.

Chris Worley: Planning and NEPA are two separate things. Collaboration, public involvement, and monitoring are all parts of Planning; this group is very important to facilitate that especially if you are three or four years from a revision.

Brown: Are there any other question for Trey?

Zimmerman: I just wondering about the nuts and bolts – we have lots of conifers here, do they act differently than deciduous trees and where do grasses fall in relative to the other two?

Schillie: Carbon numbers do vary by species, I don't think it will make much of difference between conifers and deciduous though. If you could weigh the tree, half of it would be carbon, and the roots are an important part of the carbon compositions. Fire return interval could potentially make a bit of a difference.

Zimmerman: What about the color factor; the dark color of the conifer forest vs. lighter colors. I've heard about some science that talks about the colors in terms of reflecting light or soaking it up.

Schillie: Reflectivity vs. how much is absorbed, if you were to reforest every acre on the planet, then you would increase the dark colors, more sunlight would be absorbed and less would be reflected, and you would have a slight warming affect. If you are barefoot, and you have asphalt in the summer, it will get really hot vs. something that is a lighter color. What are the odds of reforesting every acre? It's more of a modeling exercise.

Gomez: I'm glad that we are actually talking about climate change, we've had this epidemic of the mountain pine beetle for 13 years now, and it was made worse by climate change. We've also had the fires, and they could increase and be worse, so we should take every decision we make under the lens of climate change, isn't that right?

Schillie: We see warnings of increase of fire severity and the size of western fires, in everything you read. The mountain pine beetle as most of you are aware, has flourished here. It looks like with the warmer winters the MPB was able to shorten the reproductive cycle. Losing those long cold snaps, two week s at -20, or more and warming up, enable the MPB to expand their range, and shorten the reproductive cycle.

Marlette: This was done through Executive Order, so there are no laws that back this up. I'm not talking about if climate change does or doesn't exist. The challenge is, the voice of the people is Congress; so when you have an Executive Order on something as important as this you don't have the peoples input. Between now and 2022, it would be interesting to have this group decide together, if you buy into this – because we could bring in an expert that says global warming doesn't exist. Helpfully sometime this will come before Congress and the people can make a decision because like you said it's second to the last in the list of concerns among the American people. I think it would be helpful for the Board to come forward with the discussion, that says, we feel this or this; and that gives them some guidance; it has many 2nd and 3rd order affects.

Schillie: It's not new legislation necessarily, but an attempt to make it more contemporary.

Burns: Are we considering the age of a tree when we cut it down? You mentioned old growth forests and the amount of carbon sequestered in those trees. I'm sure we have an optimum age when we cut trees down.

Schillie: Old growth forests are discussed in terms of ones that are at risk of land conversion or

other things like that. It's recognition that there is a lot of carbon in these old growth stands. There is no policy to change management. If carbon becomes a consideration for us, there are ways to tweak management prescriptions to recognize that

Brown: Are there any other questions? Thank you Trey, for that presentation, that was informative and helpful. We'll ask Twila to send us an e-version of that presentation. At this time we'll take a ten minute break.

Brown: Members you received a copy of the Bill Kohlbrand resolution and with that, we would like to go onto our next topic.

Over Snow Use – Subpart C ~ Scott Haas

Bobzien: Thank you Chairman Brown. Next, Scott Haas will present on over snow use – referred to as the Travel Management Rule, Subpart C. Many of you know Scott and some have been on working groups with him. Scott will be moving in early May to be the regional leader in trails and dispersed recreation for the Region. Ralph Adam is here today as well. He will be doing some of the transitional work with Scott and the working groups going forward. Raise your hand if you were here for the over snow panel last month. At that meeting, we closed on; we would talk about subpart c in more detail. We will be given some choices on the Forest for how and when we will implement Subpart C. We have public use that is non-motorized & we received a formal request for use of the trail system by a non-motorized group, the fat tire bike group. This will be important to the panel on how we shape public policy. Scott, we look forward to this presentation and some of the policy strategy needs we will have in the future.

PowerPoint: Over-Snow Vehicle Rule, 36 CFR 212 Subpart C ~ Scott Haas, Forest Recreation Program Manager, Black Hills National Forest

Why this is important

- The Forest Service manages winter recreation to provide for a range of opportunities for motorized and non-motorized activities.
- The 2005 OSV was put in place to ensure winter motorized travel management followed Executive Order requirements to consider impacts to NF resources and other users.
- The proposed rule fixes a deficiency identified by the courts in our policy for when OSV planning was required not in our process for doing OSV planning.

Background

- **2005 Travel Management Rule**
 - OSV management was discretionary
- **November 29, 2011, Winter Wildlands filed a Lawsuit**
 - Alleging Subpart C of the TMR;
 - (1) violated the executive order allowing discretion to determine whether to regulate OSV use,
 - (2) Violated the Administrative Procedure Act in exempting OSV use from the TMR.
- **On March 29, 2013, the court ruled the TMR violated the executive order**

- In giving the agency the discretion to determine whether to regulate OSV use.
- The agency therefore improperly denied the petition to amend the TMR.
- **The court ordered the Forest Service to issue a new rule consistent with the executive order by September 9, 2014.**
- Extended to January 31, 2015
- **Release of Draft Proposed Rule on June 18, 2014; Final Rule issued Jan 28, 2015.**

Key Points

- The Forest Service has managed Over-snow vehicles on the National Forests for many years. The Forest Service is issuing a new requirement that all units develop motorized over snow vehicle plans.
- About 50% of the National Forests have existing plans, 30% do not have enough snow to warrant an over-snow vehicle plan, the remaining 20% will be the focus for developing new over snow vehicle plans.
- Public comment on the proposed over-snow vehicle rule closed on August 4, 2014. Over 20,000 comments were received by individuals, over-snow vehicle groups, and environmental organizations. Comments were mixed with some feeling the new rule was necessary and others feeling the existing policy was adequate.
- The Forest Service manages motorized winter uses consistent with Executive orders, regulations and policy to provide a range of recreation opportunities for motorized and non-motorized activities on the National Forests.
- The new rule does not change how OSV planning will be performed; it only makes it mandatory for each of the National Forests, with adequate snowfall to support OSV use, to develop an OSV Plan.

The Final Rule does:

- Provide consistency in how over-snow vehicle use and other types of motor vehicle use are managed across NFS lands by requiring designation of roads, trails, and areas where over-snow vehicle use is allowed.
- Maintain the over-snow vehicle exemption in Subpart B because of differences between over-snow vehicle use and other types of motor vehicle use with regard to their associated settings, activities, environmental impacts, and public preferences.
- Maintain existing over-snow vehicle use decisions made under other authorities that included public involvement.
- Allow decisions regarding over-snow vehicle use to be made independently or in conjunction with decisions governing other types of motor vehicle use.
- **Provide for creation of over-snow vehicle use maps** that are separate from motor vehicle use maps and that include designations by class of vehicle and time of year, if appropriate.
- **Modify the definition for an “area,”** currently “a discrete, specifically delineated space that is smaller, and in most cases much smaller, than a Ranger District,” to encompass over-snow vehicle use over a broader landscape.
- **Add a new definition** for “designation of over-snow vehicle use.”

The Final Rule does not:

- Change existing designation criteria, including minimization criteria
- Change existing process
- Require changes to past decisions

- Require a “closed unless open” policy for previous decisions
- Designate a timeline for completion

What does this mean for the Black Hills?

- Allow decisions regarding over-snow vehicle use to be made independently or in conjunction with decisions governing other types of motor vehicle use. The final rule preserves existing decisions regarding over-snow vehicle use that were made under prior authorities with public involvement. However, units with existing decisions will need to develop an over snow vehicle use map, and provide public notice of its availability.
 - The Black Hills Forest Plan allows for a 350 mile designated trail system in South Dakota and Wyoming.
 - The Forest publishes an annual Forest Supervisors Closure Order which prohibits snowmobile use in areas such as cross-country ski trails and Big Game Winter Range Management areas
- Forest Service leadership will obtain appropriate public input and coordinate with federal, state, local, and tribal governments in making over-snow vehicle designations. During that process, the agency also must consider non-motorized recreation users and protection of natural resources, among other factors, consistent with the final rule.

Challenges:

- There is no new funding that comes with this rule
- The Forest Service definition of an over-snow vehicle did not change in the final rule. An over-snow vehicle is “a motor vehicle that is designed for use over snow and that runs on a track and/or a ski or skis, while used over snow.”
- This is different than both the South Dakota and Wyoming definition of snowmobiles.
 - South Dakota Definition: No person may operate a snowmobile on a state snowmobile trail or area established pursuant to [SDCL 41-19](#) unless the snowmobile has a curb weight of less than 1,400 pounds, is an engine-driven vehicle of a type which uses sled type runners or skis with an endless belt tread or similar means of contact with the surface upon which it is operated and the vehicle does not exceed forty-eight inches in width. Motorcycle ‘conversions’ can fall under this definition.
 - Wyoming Definition: Definitions (31-2-401) (a) (ii) "Snowmobile" means any mechanically driven vehicle of a type which utilizes sled type runners, or skis, or any endless belt tread or combination of these, designed primarily for operation over snow.
- How and where do we accommodate these emerging uses?

What’s Next?

- Why doesn’t the rule specify a deadline for route and area designations for over-snow vehicle use?
 - A deadline in the rule for completing designations for over-snow vehicle use would subject the Forest Service to legal challenge if, despite its best efforts, the agency is unable to meet the deadline.
 - An inflexible deadline can prevent collaborative solutions.
 - The Rocky Mountain Regional Office will be working with individual Forests in the next 6 months to assess where they stand in relation to the new rule.

Brown: Would you delineate or clear up the time table involved relative to the NFAB group

involved as it relates to subpart c?

Haas: I don't believe the Forest would be able to take any action this year. The region will have to move through the process and I can't anticipate it being this calendar year. We do have some internal folks looking at the system and we do have some areas that have some restrictions on the system, as far as having a decision, but I'd be hard pressed to give an exact answer.

Brown: There may be some other observations about this and this Board would like to take a look at the issues and give advice that would be useful.

Bobzien: When, how and why would we engage? "When," we have some discretion. We have an existing plan that we are utilizing quite well. We have a new proposal for fat bikes. The "how," it only covers motorized use. Our traditional use has been by snowmobiles. You saw in the presentation the other tracks placed on UTVs & ATVs and we may have a growing interest in those tools. How do we consider users that operate those and the snowmobiling grooming system? And the "how," subpart c does not require us to analyze non-motorized over snow use. There are some financial considerations on the investment. We have a lot of interest for our trail system for hikers, ATVs and we support all multi-use recreation. And our over snow use, there are some strategic decisions and we are just bringing these slowly to the board. We are going to look at some of our motorized trail. It's all connected: the when, how and why is something that I'll put to writing. It's something that we need to consider as a general challenge to the board.

Brown: Are there any other questions? Let's move to the next presentation.

Motorized Travel Working Group Update ~ Scott Haas

Brown: Scott Haas will give a motorized travel working group update.

Haas: This handout shows an increase in fees and timetable for requesting any kind of fee. The table shows 180 days out from beginning to end, but I'd double that. A fee proposal is a year process. Meeker Ranch is being looked at to put out there as a rental. I just wanted to give everyone an update. It's not a simple process and it goes all the way up to the Washington office.

Brown: Is there an opportunity to have a working group that covers both of these? What would be the timetable? How do you see the Board being involved?

Bobzien: As Scott mentioned, we had our motorized trail working group. There is an evaluation on how things are progressing, understanding the budget and making recommendations on altering the fee structure. There are no recommended fee changes today. One option is to leave the motorized trail group the same. There is not a lot of activity right now but that group could be involved. The other option is to combine a motorized trail and over snow Working Group. We can work with either option. We are making business recommendations, and the money is all coming out of the base recreation budget. Some of those programs have special grants & fees, but the appropriations are all out of the same place. There are tradeoffs on which way to go on the recommendation.

Brown: It's about how this relates to multiple facet uses of the Forest and depends on the

timetable and if funds will be provided.

Hague: Do we have a subcommittee put together for over snow?

Brown: No

Hague: Do we intend to?

Bobzien: One way is to have a separate committee, one for over snow, or do a merger.

Hague: I think that would be a good idea to merge.

Bobzien: Part of this is balancing the working group and spreading it around to the board members. I'd like to hear from some of the current motorized trail working group members.

Mary Zimmerman: I could go either way. My preference would be to have a separate group. We lost one of our members and I can't remember who else is on the group?

Burns: I'd be at your disposal. It seems like it makes sense to use the same group with new people to replace the people that left.

Hague: Do we have information on additional members? Have we heard back from the secretary?

Brown: We go through a vetting process and they are appointed by the U.S. Secretary of Agriculture. Certain positions are institutional appointments.

Jacobson: When our one year emergency expired in July, I inquired. It was advised we proceed with our board and do the applications for the new board and the vetting on all of the applicants. We have gotten 16 or so new applicants in addition to the current board. Those names will be forwarded. The plan was to go the first part of April, but with Bill gone and Jeff retiring, we might be a week or two into April. Currently the board will sit as it is. We hope to hear back by July or August for a September Board.

Brown: Any other questions?

Bobzien: Is there any interest from other board members to participate in an over snow use group?

Brown: Part of that question is what's the timetable? I can assure you there will be a full board subcommittee. Do you want to combine? It's a broader question on travel and depends on uses.

Hague: It makes sense to combine them into one committee.

Brown: That depends on the Supervisor.

Bobzien: The other thing that I'd ask you to think about is, whether or not we'd want to outreach

to non-board members to reach those interested? Whether or not you want a larger group with many users represented or ways to find out how to sense those interests or just to hear from those different interests groups?

Lakes Enhancement Project Update ~ Scott Haas

Brown: The next topic on the agenda is the Lakes Enhancement Project Update.

PowerPoint: Lakes Enhancement Project, Peter Norbeck National Scenic Byway ~ Scott Haas, Forest Recreation Program Manager, Black Hills National Forest

Vision

- 1915 Automobile ‘Boom’
- Regional & Transcontinental Roads
- American worker travelling further for leisure activities
- Experience nature
- Experience the Black Hills
- Economic opportunities for the Black Hills to cater to the traveling public

Vision: Roads – Lakes – Wildlife – Campgrounds

“You’re not supposed to drive here at 60 miles an hour. To do the scenery half justice, people should drive 20 or under; to do it full justice, they should get out and walk.” - *Peter Norbeck*

The Lakes Provide ...

- Scenic Beauty
- Fishery Habitat
- Wildlife Habitat
- Recreation Opportunities:
 - Boating
 - Fishing
 - Swimming
- Visitors recreating at the lakes stay longer, and boost the local economy

When Out-of-State Fishermen journey to the Black Hills: What’s their # 1 desire?

“To CATCH FISH!!”

When Out-of-State Fishermen journey to the Black Hills: What’s their # 2 desire?

“To CATCH FISH ... IN A BEAUTIFUL PLACE!”

So what’s the issue?

- Low Water Quality
- Higher Water Temperatures
- Declining Fish Habitat
- Declining Wildlife Habitat
- Increasing Weed Growth
- Declining Scenic Quality
- Declining Fishing Experience

So what are we going to do about it?

In 2009, we applied for a Federal Highway (FHWA) Grant under the National Scenic Byway Program.

Partnership:

Black Hills National Forest
South Dakota Game Fish & Parks

Support:

Western Dakota 4H Camp
Black Hills Fly Fishers
Lutheran Outdoors in South Dakota

We were successful!

Grant

- FHWA : \$536,000

Match

- Black Hills National Forest : \$267,700
- South Dakota Game Fish Parks : \$155,000
- Lutheran Outdoors in S. Dakota : \$1,500

What we accomplished:

- Sediment Removal:
 - Horsethief Lake:
20,000 Cubic Yards
 - Lakota Lake:
20,000 Cubic Yards
 - Bismarck Lake:
25,000 Cubic Yards
- Fish Habitat:
 - Placed Boulders
 - Placed Structure (trees)
 - Constructed Islands
 - Dug Deep Pools

All the work is completed, and the lakes are currently re-filling. With a normal spring rain, the lakes will be filled by summer.

Allen: What happened at Bismarck?

Haas: The sediment survey missed the mark. They were expecting a 2 foot depth and it was 6 feet. They were able to get portions and they were strategic with the areas they worked on. They were limited by driving over the sediment and the engineering crew made sure that what came out was in the right spots.

Zimmerman: Where did the sediment go?

Haas: There were two gravel areas and also a meadow enhancement project that the sediment was taken to.

Burns: When you are refilling, are the valves throttled down as you are refilling? You don't just close the valve completely, correct?

Haas: No, we have done this at Dalton and Roubaix as well. The engineers are experienced, so we still have downward flow.

Brown: We will take a comment from the public as it relates specifically to this project.

Gary Holst: I am the general manager of Camp Bob Marshall which sits on the back side of Bismarck Lake. I work for the 4H association who leases Camp Bob Marshall from the Forest Service. I work with 4H directors and the Custer office in management of that camp. Prior to this project, we had a beach area and a swimming area and the swimming area was gently sloped, 50-60 feet wide to be safe. When they got done with the dredging, we know have a drop off that's 12 feet deep. We do not have a safe swimming area for these children any longer. I did ask the Forest Service if they could keep the swimming area and that never got to the contractor. It is just a hole and I think we have an unsafe situation brewing. The camp does not have the resources to make a safe swimming area. That is a concern for the board of directors. On behalf of the kids, we do hire a certified lifeguard and we do everything we can to keep the kids safe. I'd like to get a safe swimming area back.

Brown: What's the process or next step with this?

Bobzien: Thanks for bringing this to my attention and we will follow up to see why that was dredged deeper. We still have time to adjust that profile. Our forest engineer, Ralph Adam, will look at that. Public safety is very important. Deep areas are good for fish and I know the camp and the focus area on swimming. Please give me your contact info after this meeting.

Brown: The fill in is related to the average natural flow and with some of this, you will have more time. Are there any other questions or comments?

Haas: I want to thank Gary and I appreciate your comment.

Brown: Has Outlaw Ranch been impacted?

Haas: We worked with Outlaw Ranch who gave \$1,500 to remove more sediment.

Hague: Are you planning on doing any other lakes?

Haas: Dalton and Roubaix have been successfully dredged in the past but I don't know the answer for doing more lakes.

Adam: No

Hague: Victoria Lake would be a good candidate.

Brown: We appreciate your presentation and thank you for your help on recreation facilities. Are there any other observations from Bobzien? Members you are welcome to make any last comments.

Brenneisen: I was going to make a comment and suggest that Ben Wudtke be allowed to speak. Going back to the climate change presentation, we need to be clear that there is no evidence that they (beetles) have doubled their live cycle, that there is two cycles per year and that scientist

don't believe that cold has ever been a factor in the Black Hills. There are places within the beetles range (Canada to New Mexico) where it may have, but the Black Hills are not one of those places.

Public Comments ~ Brown

Brown: The public is welcome to make comments & observations. If you have something to share that would be of use to this committee. If it is details and it pertains directly to the Forest Service, you will have to deal directly with the Forest Service.

Wudtke: I do want to take the opportunity to thank Trey Schillie on his climate change presentation but I'd like to reminisce on a couple of topics he brought up. That old tale of there being more than one beetle flight per year, we have one every year that occurs in August. We don't have two flights. The second, on climate change being a factor for insects across the west but the single standing factor is stand density is what drives mountain pine beetle epidemics and outbreaks, while warming plays a small part in that. On the planning rule and future management for carbon sequestration, in this forest, we have a couple of examples. The Black Elk Wilderness when you set aside for carbon sequestration is an excellent example of what nature does and that area is not sequestering very much carbon. The Jasper fire area is another good example. Carbon sequestration is out the window on those. Please manage for forest health as well.

Daryl Zimmerman: On over snow use, I have property that is adjacent to Forest Service property. What is the easiest way to find out what is happening?

Bobzien: What info are you seeking?

Daryl Zimmerman: Primarily I wanted to find out if an area next to my property will be designated one way or another? I'd like to be able to find out what is happening in that area.

Bobzien: We have a current plan in place and that will be the plan until it is changed. You were here for the discussion on the why, how and when. This will be a public process. For the record, your name is recorded here. We can reach out to you on that. We do public process to engage the public.

Brown: Thank you for being here.

ADJOURN

Brown: Are there any more comments? If not, could I have a motion to adjourn; motion made by Mary Zimmerman and seconded by Bob Burns. The motion passed unanimously.

The Meeting adjourned at 4:19 p.m. Next Meeting is scheduled for Wednesday, April 15, 2015.